**S t T 2 AC**

Ought is desirability, so the feasibility of treating juveniles as adults is irrelevant. Ought also makes the resolution prescriptive—descriptive arguments about violating law or the Constitution mean nothing. Further, Affirming would just amend laws to make the Aff world consistent with them. Felonies are “crime[s] for which the punishment in federal law may be death or imprisonment for more than one year” (Merriam-Webster). Accept Aff definitions and interps A. to offset Neg timeskew. Shifting the AC evaluation forces a 13 to 7 restart in the 1AR, when Affs already lose more, and B., because Neg can adapt and link their arguments into Aff definitions.

Neg must demonstrate a relevant difference between juveniles and adults that justifies distinct treatment. Neg may not just argue that adult punishments are harmful as the logical conclusion is that neither adults nor juveniles should be treated by that system and therefore should be treated the same. This also includes arguments why a juvenile system is good without articulating why adults would be harmed.

Maximizing citizens’ rights is best:

First, treating people as ends rather than means requires saving the greatest amount possible for an impartial decisionmaker.

Rakowski writes:

Eric Rakowski. “Taking and Saving Lives.” *Columbia Law Review*. June 1993.

“The core conviction behind the "ends not means" principle is that normal, blameless human beings are equally valuable, autonomous creatures who cannot rightly be used as the tools of other people. But this conviction points in two directions in which Costa and others who have trumpeted the principle (or some related distinction between doing and allowing or positive and negative duties) are loath to go. On one side, it presses toward the consequentialist view that individuals' status as moral equals requires that the number of people kept alive be maximized. Only in this way, the thought runs, can we give due weight to the fundamental equality of persons; to allow more deaths when we can ensure fewer is to treat some people as less valuable than others. Further, killing some to save others, or letting some die for that purpose, does not entail that those who are killed or left to their fate are being used merely as means to the well-being of others, as would be true if they were slain or left to drown merely to please people who would live anyway. They do, of course, in some cases serve as means. But they do not act merely as means. Those who die are no less ends than those who live. It is because they are also no more ends than others whose lives are in the balance that an impartial decisionmaker must choose to save the more numerous group, even if she must kill to do so.”

This is especially true with proportionality—focusing on proportionate punishment presumes the importance of due, but undermines itself by allowing more disproportionate harms via rights violations if articulated as a side-constraint. This also controls the internal link to contracts arguments and the Constitution—people rationally would consent to a utilitarian system because it maximizes the probability they get their due on an individual level. Aggregation is not required for one to value her own interests.

Second, the government is the actor because it oversees criminal justice. This requires util because government is created by citizens for their protection. Citizens cede rights to government, so its reciprocal obligation is to protect their interests. Even if juveniles cannot rationally self-reflect, this supercharges the obligation and forces the government to protect them through its own analysis. Deontology is bad because it fails to prescribe action. The entire purpose of state policy is to manage between conflicting rights, but deontology makes this impossible because some rights will always conflict, so it is useless in guiding governments.

And, the act-omission distinction is irrelevant in government policy because of its guiding role. Both authorize outcomes, so the only question is their relative goodness.

Sunstein and Vermeule write:

Copyright (c) 2005 The Board of Trustees of Leland Stanford Junior University Stanford Law Review December, 2005 58 Stan. L. Rev. 703 LENGTH: 24325 words ARTICLE: THE ETHICS AND EMPIRICS OF CAPITAL PUNISHMENT: Is Capital Punishment Morally Required? Acts, Omissions, and Life-Life Tradeoffs NAME: Cass R. Sunstein \* and Adrian Vermeule \*\*

Most generally, government is in the business of creating permissions and prohibitions. When it explicitly or implicitly authorizes private action, it is not omitting to do anything or refusing to act. Moreover, the distinction between authorized and unauthorized private action - for example, private killing - becomes obscure when the government formally forbids private action but chooses a set of policy instruments that do not adequately or fully discourage it.

Thus, I advocate juveniles charged with violent felonies ought be treated as adults in the criminal justice system. I reserve the right to clarify.

A. SKFTA will pass –there is bipartisan support and momentum.

Automated Trader, 4/20

http://www.automatedtrader.net/real-time-dow-jones/57113/2nd--us-kirk-confident-congress-will-pass-3-free\_trade-deals

U.S. Trade **Representative Ron** Kirk said **Wednesday** he is confident Congress will pass three pending free-trade agreements, with a vote on the Colombia deal possible after mid-June. While raising the prospect that long-stalled trade deals with Colombia, South Korea and Panama could be passed by the July target called for by Republicans and business groups, Kirk still insisted that the deals be part of a "holistic" agenda to help address Americans' concerns about job losses. He continued to push for the renewal of expired programs to assist displaced workers and provide duty-free preferences to imports from developing countries. "I'm confident we're going to be able to be in a position that we're going to be able to submit all three of these agreements and we're going to get them passed," Kirk told reporters at an event hosted by the Third Way think tank. "But I want people to have the same concern about our commitment to workers under trade-adjustment assistance and the preference programs," he said. Kirk said he could send a letter to Congress as early as this week seeking to begin technical discussions on implementing the Colombia deal, with Colombian President Juan Manuel Santos set to launch a series of agreed-upon labor measures on April 22. If the Colombian government sticks to the action plan and meets the benchmarks set out for mid-June, Congress may be in a position to vote on the deal after that, Kirk said. "If we meet the June 15 benchmark, that would certainly pave the way for us to have a vote," he said. Kirk has already notified lawmakers that the administration is ready to begin technical talks on the South Korea and Panama pacts. The July deadline looms large because that is when rival trade deals take effect--South Korean's pact with the European Union and Colombia's with Canada--that threaten to further erode U.S. market share in those countries. The labor agreement plan sets out a specific timeline for Colombia to address U.S. concerns about reducing and punishing violence against union members, as well as to bolster workers rights. Among other things, Colombia agreed to "dramatically expand" protection for workers by April 22, come up with a plan by May 20 to build up the capacity of its regional judicial offices, and revise its criminal laws by mid-June to make threats against workers' rights punishable with up to five years in jail. The action plan is considered a precondition for the trade agreement to go into effect, though some of those measures are expected to be taken after the deal is submitted and even voted on in Congress. "The other things are steps we would have time to work on during the implementation period," said Kirk. House Ways and Means Chairman Dave Camp (R., Mich.) said Wednesday after leading a fact-finding mission to Colombia that the country has already made "rapid progress," including submitting all of its April 22 action items to the Obama administration. "After these meetings, we are confident in Colombia's ability to carry out its commitment," said Camp, whose delegation met with Santos as well as labor and business leaders. He reiterated his call for the technical discussions to begin with the administration so that all three agreements could be considered by July 1. House Democratic Whip Steny Hoyer (D., Md.) said in the same statement that Colombia has made "significant progress" in addressing labor rights and violence. "I look forward to continuing to work with Colombia on what needs to be done so that we can advance this Agreement and the other two pending trade agreements very soon," he said. While administration officials believe all three deals would attract the bipartisan support to pass, Democrats remain divided. Only the South Korean deal has attracted the backing of some unions, after a December deal that further opened up the country's auto sector.

**Obama needs every ounce of political capital and focus to pass SKFTA.**

McLarty & Cunningham, 1/24 – \*chief of staff to Clinton in 1993-94 and helped bring Bill Daley into the White House to lead the 1993 Nafta ratification effort, AND \*\*Mr. Cunningham was an aide to President Clinton and to then-Sen. Joseph Biden (1/24/11, Thomas "Mack" McLarty III and Nelson W. Cunningham, “Obama's Free Trade Opportunity,” Factiva,)

Much has been written about Bill Daley's selection as White House chief of staff, a position sometimes called "Chief Javelin Catcher" (a title whose accuracy one of us strongly affirms). Most agree that Mr. Daley is the perfect choice to help President Obama set a new tone for his presidency. He is a moderate, strongly rooted in Democratic principles and politics. Though he comes from the business community, he is no colorless technocrat or Republican shill. He is a Daley from Chicago and will not forget the needs of the lunchbucket voters who've supported Daleys for 50 years, or the political lessons he learned at the knee of his father, Mayor Richard J. Daley. Mr. Daley will need all his political skills to tackle what we think should become one of the signature accomplishments of his tenure: the return of liberalized trade as a centerpiece of Democrats' vision of economic competitiveness and globalization. Bill Clinton embraced this vision, and he understood that trade liberalization required strong bipartisan efforts. To pass the North American Free Trade Agreement (Nafta) in 1993, we set up a bipartisan war room within the White House, headed by Bill Daley and former Republican Congressman Bill Frenzel. Messrs. Daley and Frenzel worked together, with the full support of the president and White House staff, to push Nafta through the House with 102 Democratic and 132 Republican votes, and on to an equally bipartisan total in the Senate. Liberalized trade was also at the heart of President Clinton's view that America needed international competition to succeed in an increasingly trade-dependent world. Not every Democrat supported this view, though Mr. Clinton strongly pushed it within the party. But we quickly lost this bipartisan consensus and the progress Mr. Clinton had forged in his own party. By 1997, when Mr. Clinton sought renewal of "fast track" authority to negotiate more trade agreements, Republican Speaker of the House Newt Gingrich could not corral his majority to support the president and the effort failed. And although President George W. Bush did manage to make congressional headway on trade with his Republican majorities, he did so principally with Republican support. In the first two years of President Obama's tenure, progress on trade was largely frozen. Mr. Obama stated his support for the uncompleted pieces of the Bush trade agenda -- free trade agreements with South Korea, Panama and Colombia, the dangling Doha World Trade Organization round, and Russia WTO accession -- but little measurable progress was made. Now, in a few short weeks, Mr. Obama has renegotiated the U.S.-Korea free trade agreement and announced that it will be a priority in the new Congress. He has taken steps to resolve a longstanding trade dispute with Mexico over trucks that goes back to the Clinton years. And, with his selection of Mr. Daley, the president has hired the man who can make this trade revival a reality. What now? Our experience tells us that the only way to push a major trade agreement through Congress -- **even one where the** nominally **pro-trade GOP rules the House** -- is with **strong and unyielding presidential leadership,** a unified White House staff and cabinet, and a genuinely bipartisan approach to stakeholders and the Congress. First, **the president must be fully committed.** Nafta was a bipartisan success in no small part because of the personal involvement of Mr. Clinton and sometimes tortuous negotiations with members of Congress. It's true that some pork was doled out and more than one bridge was built as a result of a Nafta vote -- something they probably still understand in Chicago. Second, the White House and cabinet must be unified in pulling for passage. Everyone from Vice President Joe Biden to Secretary of State Hillary Clinton to Labor Secretary Hilda Solis and U.S. Trade Representative Ron Kirk must be fully engaged, without hesitation. Don't forget the crucial role that then-Vice President Al Gore's 1993 debate with Ross Perot played in swinging public opinion in favor of Nafta. Third, **the effort must be genuinely bipartisan. We'll need scores of members from both sides to make passage possible** (this is particularly true with a large tea party GOP caucus that is as yet undefined on trade). Perhaps Mr. Obama could even take a page from the 1993 playbook and bring into the White House a prominent Republican -- former U.S. Trade Representative Carla Hills, former Reagan Chief of Staff Ken Duberstein, or a former congressman such as Jim Kolbe or Chris Shays, for example -- to help quarterback the effort. Finally, the president has to show that his commitment to the U.S.-Korea free trade agreement isn't a one-off. Moderates and independents who have been spooked by an economic approach they see as veering strongly to the left are looking for signs that this president embraces their centrist views. A commitment to deficit reduction, sustained outreach to business, and a genuine embrace of trade liberalization must go hand-in-hand. Most importantly, the president should commit to advancing the pending trade agreements with Colombia and Panama right now, instead of leaving them until later as some in his administration would prefer. Why bother taking a half-measure on trade? A full-throated campaign for the Korea, Colombia and Panama trade agreements, along with WTO accession for Russia, can help reset this presidency. Capitalizing on his selection of Mr. Daley with a renewed American trade policy, Mr. Obama has the chance to remind moderates in both parties and independent voters that he is the man they voted for in 2008 -- a leader who appreciates the goals of businesses large and small, and who sees America as confident and innovative enough to remain the global economy's True North. It also gives the president the opportunity to strengthen ties with longtime allies who cultivate liberal democracy, reject old and ugly political and social traditions, stand shoulder-to-shoulder with us when it comes to fighting the world's darkest forces, and are willing to open their markets to us -- or in the case of Russia, to encourage that behavior. It won't be easy, and it may alienate some in the Democratic base, but it is essential.

Treating juveniles in the adult system would completely drain Obama's political capital.

Trent writes:

Ryan L. Trent. "Juvenile (In)Justice." Associated Content from Yahoo! - Associatedcontent.com. 30 Dec. 2010. Web. 31 Dec. 2010. Ryan Trent is a Major in Criminal Justice from Omaha University] <http://www.associatedcontent.com/article/6150866/juvenile\_injustice.html?cat=17

In the recent years, more and more states have committed to punishing juvenile offenders in adult courts for what is loosely labeled "heinous" crimes. If President Obama were to implement (or push for its implementation) a bill or policy that wrongfully forced juveniles in the adult system, he would lose not only democratic support, but also large republican support across the board. The issue is not a partisan one; rather it is one of both science and morality. Democrats would oppose the policy as well as Republicans in congress. Any politician, whether it be Obama or a circuit judge would lose not only credibility, but respect.

SKFTA causes mutual overconfidence – this makes alliance collapse inevitable and causes Korean adventurism.

Kim writes:

Sung Eun Kim, Research Fellow at the Asiatic Research Institute and MA in Poli Sci from Korea University, 2010. “Ties That Bind: Assessing the Impact of Economic Interdependence on East Asian Alliances,” http://www.eai.or.kr/data/bbs/eng\_report/201002251819214.pdf

In the long run, however, Seoul and Washington might be better off breaking the linkage between the FTA and the alliance. To the extent that this linkage is accepted, ratification of the FTA could provide a short-term psychological boost for the alliance. However, this potential benefit (which is bound to be ephemeral) may not be worth the longterm risks associated with allowing the linkage to persist. The unsubstantiated conviction that the FTA would strengthen the alliance will produce excessive expectations about alliance commitment. In the nearly inevitable event that actual support fails to satisfy these high hopes, such disillusionment could generate distrust and bitterness, [and] thereby jeopardizing the alliance. Moreover, the overly high expectations might embolden the allies to adopt a risky foreign policy, thereby increasing the chance of entrapment in unnecessary international conflicts. Also, breaking the linkage would insulate the alliance from opposition to the FTA motivated by perceptions of its unfairness or grievances against its adverse sectoral effects. The current economic hardship in both countries threaten to activate these latent opponents to the FTA by elevating the priority of economic issues and diminishing both sides’ patience and willingness to make concessions. By legitimizing the FTA on the grounds of its alleged strategic value, the two governments could be exposing the alliance to economically-motivated attacks. By delinking the FTA and the alliance, Seoul and Washington could minimize these risks to its long enduring security alliance

South Korean aggression causes rapid escalation and nuclear war

Michael Raska, Lee Kuan Yew School of Public Policy at the National University of Singapore, 11/25/2010. The Statesman, “Why Can’t South Korea Retaliate?” p. Lexis

In addition to conventional threats (that is, scenarios and contingencies-linked high intensity conventional wars), South Korea has increasingly faced a hybrid conflict spectrum ~ the amalgamation of asymmetric, low-intensity, and non-linear security challenges. These include two extreme threats on a threat scale ~ on one end is North Koreas continuously advancing ballistic missile programme coupled with its WMD (nuclear, chemical, and biological) **capabilities** that provide economic leverage and serve as a force multiplier. On the other end of the threat spectrum is North Koreas spectre of a failed state. North Koreas persisting economic and structural decay coupled with prolonged international diplomatic isolation broadens the risks of potential instability [and] and volatility ~ scenarios ranging from implosion to explosion. The resulting hybrid conflict spectrum essentially **mitigates the effectiveness** **of** South Koreas **traditional deterrence** and defence strategies. Amid the transformation in the nature and character of North Korean security challenges, South Korean defence planners are increasingly constrained by the risks and costs of a potential confrontations, spillovers, or crises. **In a hybrid conflict spectrum, any type of a retaliatory action or military initiative by South Korea** aimed at North Korean force concentrations entails even greater risks of conflict escalation. First, there are traditional geo-strategic constraints. South Korea lacks strategic depth, which essentially precludes any type of elastic defence (that is, defence in depth that trades space for time) and limits early-warning options. In geographical terms, the distance between the DMZ and Seoul ~ the political, business, and cultural center of South Korea ~ is only approximately 40 km, making the densely populated capital city with over 11 million inhabitants highly vulnerable to a North Korean ground or artillery attack. In this setting, the extremely small, but highly populated combat radius around Seoul amplifies the risks of high collateral damage and major socio-economic disruptions in any type of crises or conflict scenarios. Any limited operations by either side could effectively trigger uncontrollable or unintended escalation. The second factor is the quantitative asymmetry, disposition, and doctrinal orientation of North and South Koreas armed forces. North Koreas conventional forces have a numerical superiority over South Korea in terms of manpower, armour and artillery equipment. Notwithstanding its prolonged economic hardships, supply shortages and lack of new equipment, North Korea has been able to sustain and even expand its conventional forces to the fourth largest in the world. In terms of equipment categories, for example, North Koreas artillery forces (that is, towed and self-propelled cannons, rocket launchers, mortars) are twice the size of the artillery forces in the South. While the age and obsolescence of many North Korean combat systems coupled with the lower training hours of their crews cannot match US-ROK capabilities, the potential to inflict significant damage or launch selective or massive conventional attacks against South Korea should not be discarded.The third and perhaps most important risk factor is political. The difficulties in ascertaining North Koreas intentions and politico-military strategies amplify security uncertainties and risks of potential miscalculation and superpower involvement. The divided Korean peninsula is at the centre of complex power constellations in north-east Asia that includes historical fault lines of prolonged hostilities, mutual suspicions, territorial disputes, and geostrategic competition between the US, Soviet Union, [and] China and Japan. **Any escalation of conflict on the Korean peninsula may rapidly spill over into a broader regional crisis**. With the absence of a permanent peace treaty, robust military deployments on both sides and continued regional and superpower involvement, security on the Korean peninsula remains an elusive concept bound by a number of uncertainties; a deeply embedded predicament that continues nearly two decades after the end of the Cold War

B. The ban on juvenile death penalty is grounded in international precedent that kills the Court’s independence.

Dinh writes:

Dinh 07—(Viet D.Dinh, Professor of Law, Georgetown University Law Center, Threats to Judicial Independence, Real and Imagined, 2007, http://www.georgetownlawjournal.org/issues/pdf/95-4/dinh.pdf)

No wonder Chief Justice John Roberts, during his Senate conﬁrmation hearings, likened looking at foreign law for support to “looking out over a crowd and picking out your friends. You can ﬁnd them. They’re there.” 92 The crucial point here is not that federal court use of foreign law is or is not appropriate. The key question is how the practice relates to judicial independence. One of the principal functions of judicial independence is to insulate judges from public opinion, to free them to adjudicate disputes based on what the law requires and nothing else. Only by focusing on the law itself, and ignoring external pressures, will judges reach legally sound results. Consulting foreign law—such as, legislation enacted by popular majorities in other countries—is another name for consulting public opinion. Sometimes proponents of foreign law make this point explicit. Their fear is that if the United States engages in a particular practice (such as enforcing the death penalty against juveniles or the mentally retarded), other countries will look with disfavor on us. After all, they say, the United States is “subject to the scrutiny of ‘a candid World.’” 93 This is no different in principle from proposing that judges should resolve disputes [to] in a way that will prevent American citizens (or members of Congress, or activist groups) from looking with disfavor on them. For the same reason judges should decide cases without being swayed by popular pressure fromAmerican citizens, so should they decide cases without being swayed by popular pressure from foreign citizens.

Juvenile death penalty is especially key—it’s the brink issue that determines precedent moving forward.

Bradley writes:

Bradley 2002 [Curtis A , Richard A. Horvitz Professor of Law and Professor of Public Policy Studies – Duke Univeristy, “The juvenile death penalty and international law”, Duke Law Review, <http://www.highbeam.com/doc/1G1-102105768.html>]

Although important on its own terms, the juvenile death penalty issue may also have broader implications for the relationship between U.S. law and international human rights law. Litigants and scholars have met with at least modest success in attempting to have international human rights law incorporated into the U.S. legal system. This success, however, has primarily come in the context of civil lawsuits seeking damages for human rights abuses committed in foreign countries. (21) Increasingly, litigants and scholars are seeking to build on this success and persuade U.S. courts to apply international human rights law internally as a basis for overriding domestic laws and practices.(22) The juvenile death penalty has become a central focus of this effort, and the way in which the international law challenges are resolved in this context may have a significant impact on the viability of other attempts to "domesticate" international human rights law.

Transitioning democracies model our independent judiciary— independence is key to their successful transition.

CJA writes:

The Center for Justice and Accountability et al, '04 [Amici Curiae in support of petitioners in Al Odah et al. v USA, "Brief of the Center for Justice and Accountability, the International League for Human Rights, and Individual Advocates for the Independence of the Judiciary in Emerging Democracies," 3-10,[http://www.jenner.com/files/tbl\_s69NewsDocumentOrder/FileUpload500/82/AmiciCuriae\_Center\_for\_Justice\_Int\_League\_Human\_Rights\_Adv\_For\_Indep\_Judiciary2.PDF](http://www.jenner.com/files/tbl_s69NewsDocumentOrder/FileUpload500/82/%0BAmiciCuriae_Center_for_Justice_Int_League_Human_Rights_Adv_For_Indep_Judiciary2.PDF))

Strong, independent judiciary is essential to the protection of individual freedoms and the establishment of stable governance in emerging democracies around the world. A. Individual Nations Have Accepted and Are Seeking to Implement Judicial Review By A Strong, Independent Judiciary. Many of the newly independent governments that have proliferated over the past five decades have adopted these ideals. They have emerged from a variety of less-than-free contexts, including the end of European colonial rule in the 1950's and 1960's, the end of the Cold War and the breakup of the former Soviet Union in the late 1980's and 1990's, the disintegration of Yugoslavia, and the continuing turmoil in parts of Africa, Latin America and southern Asia. Some countries have successfully transitioned to stable and democratic forms of government that protect individual freedoms and human rights by means of judicial review by a strong and independent judiciary. Others have suffered the rise of tyrannical and oppressive rulers who consolidated their hold on power in part by diminishing or abolishing the role of the judiciary. And still others hang in the balance, struggling against the onslaught of tyrants to establish stable, democratic governments. In their attempts to shed their tyrannical pasts and to ensure the protection of individual rights, emerging democracies have consistently looked to the United States and its Constitution in fashioning frameworks that safeguard the independence of their judiciaries. See Ran Hirschl, The Political Origins of Judicial Empowerment through Constitutionalization: Lessons from Four Constitutional Revolutions, 25 Law & Soc. Inquiry 91, 92 (2000) (stating that of the “[m]any countries . . . [that] have engaged in fundamental constitutional reform over the past three decades,” nearly all adopted “a bill of rights and establishe[d] some form of active judicial review”). 19 Establishing judicial review by a strong and independent judiciary is a critical step in stabilizing and protecting these new democracies. See Christopher M. Larkins, Judicial Independence and Democratization: A Theoretical and Conceptual Analysis, 44 Am. J. Comp. L. 605, 605-06 (1996) (describing the judicial branch [has] as having "a uniquely important role" in transitional countries, not only to "mediate conflicts between political actors but also [to] prevent the arbitrary exercise of government power; see also Daniel C. Prefontaine and Joanne Lee, The Rule of Law and the Independence of the Judiciary, International Centre for Criminal Law Reform and Criminal Justice Policy (1998)

Conflicts in Egypt and Libya supercharge the link. Democratic transitions are key to preventing many scenarios for war and extinction.

Diamond writes:

Diamond, 1995. Larry Diamond, senior fellow at the Hoover Institution, December 1995, Promoting Democracy in the 1990s, http://wwics.si.edu/subsites/ccpdc/pubs/di/1.htm.

OTHER THREATS This hardly exhausts the lists of threats to our security and well-being in the coming years and decades. In the former Yugoslavia nationalist aggression tears at the stability of Europe and could easily spread. The flow of illegal drugs intensifies through increasingly powerful international crime syndicates that have made common cause with authoritarian regimes and have utterly corrupted the institutions of tenuous, democratic ones. Nuclear, chemical, and biological weapons continue to proliferate. The very source of life on Earth, the global ecosystem, appears increasingly endangered. Most of these new and unconventional threats to security are associated with or aggravated by the weakness or absence of democracy, with its provisions for legality, accountability, popular sovereignty, and openness. LESSONS OF THE TWENTIETH CENTURY The experience of this century offers important lessons. Countries that govern themselves in a truly democratic fashion do not go to war with one another. They do not aggress against their neighbors to aggrandize themselves or glorify their leaders. Democratic governments do not ethnically "cleanse" their own populations, and they are much less likely to face ethnic insurgency. Democracies do not sponsor terrorism against one another. They do not build weapons of mass destruction to use on or to threaten one another. Democratic countries form more reliable, open, and enduring trading partnerships. In the long run they offer better and more stable climates for investment. They are more environmentally responsible because they must answer to their own citizens, who organize to protest the destruction of their environments. They are better bets to honor international treaties since they value legal obligations and because their openness makes it much more difficult to breach agreements in secret. Precisely because, within their own borders, they respect competition, civil liberties, property rights, and the rule of law, democracies are the only reliable foundation on which a new world order of international security and prosperity can be built.

And, death penalty deters.

Yahya 4 writes:

Deterring Roper’s Juveniles: Why Immature Criminal Youth Require the Death Penalty more than Adults – a Law & Economics Approach Moin A. Yahya Faculty of Law, University of Alberta Edmonton, AB Canada T6G 2H5 myahya@law.ualberta.ca (780) 492-4445 August 12, 2005

To overcome these methodological problems, a new series of articles have emerged where the researchers used pooled data: data that varies over time and that also comes from a cross-section of states. These articles seem to all support the proposition that the death penalty deters. Paul Zimmerman looked at state-level data from 1978 onwards and found that there was a deterrence effect, where each execution reduced an average of 14 homicides. Naci Mocan and Kaj Gittings also found a deterrence effect when they looked at state-level data from 1977- 1997, and they estimated that each execution deterred five homicides.100 Additionally, they found that commuting death sentences increased the murder rate. Joanna Shepherd found that it did not matter whether the murder was a crime of passion or a murder by an intimate of another (crimes usually claimed to be undeterrable), they also were reduced in the presence of executions. She estimated that each execution lowered three murders, while the passing of a death sentence reduced it by 4.5 murders. She also found that as the waiting period on death row was reduced, murders were deterred: one murder for every 2.75 years reduced before execution. This last observation is consistent with the prediction of economic theory that the further away the execution, the more criminals will discount the cost of committing a crime and hence commit more crimes. Another study found that 91 percent of states that suspended the death penalty following the United States Supreme Court’s moratorium on execution during the 1972-1976 period faced an increase in their murder rates, while 70 per cent of the states that re-introduced the death penalty after the moratorium saw a drop in the murder rate. Using county-level data for 3,054 counties during the 1977-1996 period, three researchers found that each execution reduced murders by 18, thereby providing the strongest proof of the deterrence effect given the highly disaggregated nature of the data used.

Presumption and permissibility go Aff because we always default to treating people as moral equals absent a good reason not to. Additionally, they go Aff because of the Neg time skew. Even if there are substantive reasons they go Neg, the disadvantage of Affirming denies the fairness of that substantive interpretation and requires they Affirm. Finally, absence of good reason to Negate generates an obligation to Affirm because there are harms inherent in the status quo that we cannot be complicit with and are thus obligated to make an attempt to decrease.

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